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No. 2/20/77-UCU.
GOVERNMENT OF INDIA?
Ministry of Works and Housing,
(Nirman Aur Awas Mantralaya).

New Delhi, dated the 17th August, 1977.

To

The Commissioner and Secretary,
Health and Municipal Administration,
Government of Karnataka,
Vidhana Soudha,
P.B. No. 5347,
Bangalore-560001.

Subject:- Section 19(1)(iv) of the Urban Land (C&R) Act, 1976
vacant land held by a deity but managed by a
trust or a committee in the nature of a Trust.

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Sir,

I am directed to refer to your d.o. letter No.HMA 141 ULC dated the 24th May, 1977 on the subject mentioned above and to say that the points raised therein have been examined. Since section 2(i) of the Urban Land (Ceiling and Regulation) Act, 1976 defining 'person' includes 'individual' a deity as an individual would come within the said definition. Even otherwise, the deity owning property as a legal person will also be covered within the said inclusive definition. Consequently the ceiling limit prescribed by the Act will be applicable to it. The position of trustees or members of Committee in a religious trust if the property stands in their name for the benefit of the deity or an institution. The expression 'religious trust' has not been defined in the Urban Land Ceiling Act nor has it been defined in the Writables and religious Trusts Act, 1920. Therefore, it appears permissible to give a general and liberal meaning to the expression "public religious trust" used in Section 19(1) (iv) of the Urban Land (Ceiling and Regulation) Act. In a public religious trust, where the property stands in the name of the deity, the trustees or the members of Committee are the managers to look after and manage the properties on behalf of the deity because a deity cannot personally manage the properties owned by him. Similarly, in those trusts where the properties vest in the trustees for the benefit of either the deity or the Sansthan the Trustees are under an obligation to manage the properties to the best interest of the deity or the Sansthan as the case may be. Thus, it appears that both the categories mentioned above would come within the meaning of the expression 'public religious trust' used in section 19(1) (iv) of the Urban Land (Ceiling and Regulation) Act. In view of the position explained, it does not appear necessary to amend the Act.

Yours faithfully,

Sd/-

(S. Mahadeva Ayyar)

Deputy Secretary to the Government of
India.